

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

LEONARD CARTER, #N5737

PETITIONER

VERSUS

CIVIL ACTION NO. 4:07cv7TSL-LRA

CHRISTOPHER EPPS

RESPONDENT

**ORDER TRANSFERRING CAUSE TO UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI, EASTERN DIVISION**

BEFORE the Court is inmate Carter's petition [1] for habeas corpus relief pursuant to 28 U.S.C. § 2254 and motion to proceed *in forma pauperis* [2]. The Petitioner indicates that he is currently serving a state sentence rendered by the Choctaw County Circuit Court, located in the Northern District of Mississippi. The Petitioner is currently confined in the East Mississippi Correctional Facility, Meridian, Mississippi, located in the Southern District of Mississippi.

Title 28 United States Code Section 2241(d) states that when a person files an application for a writ of habeas corpus and they are in custody under the judgment and sentence of a State court with two or more Federal Judicial Districts, the sentencing district and the district of confinement have concurrent jurisdiction. Further, the district court which considers the application may in the exercise of its discretion and in furtherance of justice transfer the application to the other district court for hearing and determination. Since petitioner is serving a state sentence from Choctaw County Circuit Court which is in the Northern District of Mississippi, this case will be transferred to the Northern District. In the exercise of this Court's discretion and in the furtherance of justice, it is hereby,

ORDERED that this petition for habeas relief be transferred to the United States District Court for the Northern District of Mississippi, Eastern Division, and that the petition shall be

received in accordance with the orders and local rules of that court and any applicable statute or law.

SO ORDERED, this the 29th day of January, 2007.

s/Linda R. Anderson

UNITED STATES MAGISTRATE JUDGE